

# **EXHIBIT A**

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP  
2 Charles K. Verhoeven (Cal. Bar No. 170151)  
3 charlesverhoeven@quinnemanuel.com  
4 David Perlson (Cal. Bar No. 209502)  
5 davidperlson@quinnemanuel.com  
6 Melissa J. Baily (Cal. Bar No. 237649)  
7 melissabaily@quinnemanuel.com  
John Neukom (Cal. Bar No. 275887)  
johnneukom@quinnemanuel.com  
Jordan R. Jaffe (Cal. Bar No. 254886)  
jordanjaffe@quinnemanuel.com  
50 California Street, 22<sup>nd</sup> Floor  
San Francisco, California 94111-4788  
Telephone: (415) 875-6600  
Facsimile: (415) 875-6700

9 | Attorneys for Plaintiff WAYMO LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

4 WAYMO LLC  
5 Plaintiff,  
6 vs.  
7 UBER TECHNOLOGIES, INC.;  
8 OTTOMOTTO, LLC; OTTO TRUCKING  
LLC  
9 Defendants.  
10  
11 Case No. 3:17-cv-00939-WHA  
12  
13 **PLAINTIFF WAYMO LLC'S FIRST SET  
14 OF INTERROGATORIES TO  
15 DEFENDANTS RELATING TO ISSUES  
16 IN JACOBS LETTER**  
17  
18 Honorable William H. Alsup  
19  
20

21 **PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANTS RELATING TO**  
**ISSUES IN JACOBS LETTER**

23 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Waymo LLC  
24 (“Waymo”) requests that Defendant Uber Technologies, Inc. (“Uber”) and Ottomotto, LLC  
25 (“Otto) (collectively “Defendants”) answer under oath the following interrogatories within five (5)  
26 calendar days of service. Defendants are subject to a duty to timely supplement all responses to  
27 these interrogatories in accordance with Rule 26(e) of the Federal Rules of Civil Procedure.

## **DEFINITIONS**

2       1.     “WAYMO” means Waymo LLC and its officers, directors, current and former  
3 employees, counsel, agents, consultants, representatives, and any other persons acting on behalf of  
4 any of the foregoing, and WAYMO’s affiliates, parents, divisions, joint ventures, licensees,  
5 franchisees, assigns, predecessors and successors in interest, and any other legal entities, whether  
6 foreign or domestic, that are owned or controlled by WAYMO, and all predecessors and  
7 successors in interest to such entities, and any entity owned in whole or in part by, affiliated with,  
8 or controlled in whole or in part by WAYMO.

9       2.     “GOOGLE” means Google Inc. and its officers, directors, current and former  
10 employees, counsel, agents, consultants, representatives, and any other persons acting on behalf of  
11 any of the foregoing, and GOOGLE’s affiliates, parents, divisions, joint ventures, licensees,  
12 franchisees, assigns, predecessors and successors in interest, and any other legal entities, whether  
13 foreign or domestic, that are owned or controlled by GOOGLE, and all predecessors and  
14 successors in interest to such entities, and any entity owned in whole or in part by, affiliated with,  
15 or controlled in whole or in part by GOOGLE.

16       3.     “UBER” means Uber Technologies, Inc. and its officers, directors, current and  
17 former employees, counsel, agents, consultants, representatives, and any other persons acting on  
18 behalf of any of the foregoing, and UBER’s affiliates, parents, divisions, joint ventures, licensees,  
19 franchisees, assigns, predecessors and successors in interest, and any other legal entities, whether  
20 foreign or domestic, that are owned or controlled by UBER, and all predecessors and successors in  
21 interest to such entities, and any entity owned in whole or in part by, affiliated with, or controlled  
22 in whole or in part by UBER.

23       4.     “OTTOMOTTO” means Ottomotto, LLC and its officers, directors, current and  
24 former employees, counsel, agents, consultants, representatives, and any other persons acting on  
25 behalf of any of the foregoing, and OTTOMOTTO’s affiliates, parents, divisions, joint ventures,  
26 licensees, franchisees, assigns, predecessors and successors in interest, and any other legal entities,  
27 whether foreign or domestic, that are owned or controlled by OTTOMOTTO, and all predecessors  
28 and successors in interest to such entities, and any entity owned in whole or in part by, affiliated

1 with, or controlled in whole or in part by OTTOMOTTO. For the avoidance of doubt,  
 2 OTTOMOTTO includes all former names under which OTTOMOTTO operated, including  
 3 without limitation 280 Systems, Inc., 280 Systems, LLC, and Ottomotto, Inc.

4       5.     “DEFENDANTS” means UBER and OTTOMOTTO.

5       6.     “YOU” or “YOUR” means UBER and OTTOMOTTO.

6       7.     “FORMER GOOGLE/WAYMO EMPLOYEE” refers to any current or former  
 7 employee of UBER or OTTOMOTTO that previously worked at GOOGLE or WAYMO.

8       8.     “DOCUMENTS” shall INCLUDE, without limitation, all written, graphic or  
 9 otherwise recorded material, INCLUDING without limitation, electronically stored information  
 10 regardless of the form of storage medium, microfilms or other film records or impressions, tape  
 11 recordings or computer cards, floppy disks or printouts, any and all papers, photographs, films,  
 12 recordings, memoranda, books, records, accounts, communications, letters, telegrams,  
 13 correspondence, notes of meetings, notes of conversations, notes of telephone calls, inter-office  
 14 memoranda or written communications of any nature, recordings of conversations either in  
 15 writings or upon any mechanical or electrical recording devices, INCLUDING e-mail, notes,  
 16 papers, reports, analyses, invoices, canceled checks or check stubs, receipts, minutes of meetings,  
 17 time sheets, diaries, desk calendars, ledgers, schedules, licenses, financial statements, telephone  
 18 bills, logs, and any differing versions of any of the foregoing, whether so denominated, formal,  
 19 informal or otherwise, as well as copies of the foregoing which differ in any way, INCLUDING  
 20 by the addition of handwritten notations or other written or printed matter of any nature, from the  
 21 original. The foregoing specifically INCLUDES information stored in a computer database and  
 22 capable of being generated in documentary form, such as electronic mail, text messages (i.e., SMS  
 23 messages), other electronic messages including messages sent or received via Slack, WhatsApp,  
 24 Google Hangouts, Facebook Messenger, and the like.

25       9.     “COMMUNICATIONS” shall mean, without limitation, any transmission,  
 26 conveyance or exchange of a word, statement, fact, thing, idea, DOCUMENT, instruction,  
 27 information, demand or question by any medium, whether by written, oral or other means,  
 28 including but not limited to, electronic communications and electronic mail (“e-mail”).

10. "THING" means any tangible object, other than a DOCUMENT.

11. "PERSON" means to any individual, corporation, proprietorship, association, joint  
3 venture, company, partnership or other business or legal entity, including governmental bodies and  
4 agencies. The masculine includes the feminine and vice versa; the singular includes the plural and  
5 vice versa.

6. "REGARDING," shall mean relating to, referring to, mentioning, reflecting,  
7 pertaining to, evidencing, involving, describing, discussing, commenting on, embodying,  
8 responding to, supporting, contradicting, or constituting (in whole or in part), as the context makes  
9 appropriate.

10. "INCLUDE" and "INCLUDING" shall mean including without limitation.

11. Use of the singular also INCLUDES the plural and vice-versa.

12. The words "or" and "and" shall be read in the conjunctive and in the disjunctive  
13 wherever they appear, and neither of these words shall be interpreted to limit the scope of these  
14 Requests for Production.

15. The use of a verb in any tense shall be construed as the use of the verb in all other  
16 tenses.

17. The term "any" shall include "all" and "all" shall include "any."

## **INSTRUCTIONS**

19. The following Instructions apply to each interrogatory:

20. 1. In answering the following interrogatories, furnish all available information,  
21 including information in the possession, custody, or control of any of DEFENDANTS' attorneys,  
22 directors, officers, agents, employees, representatives, associates, investigators or division  
23 affiliates, partnerships, parents or subsidiaries, and PERSONS under DEFENDANTS' control,  
24 who have knowledge, not merely information known to DEFENDANTS based on  
25 DEFENDANTS' own personal knowledge.

26. 2. If DEFENDANTS cannot fully respond to the following interrogatories after  
27 exercising due diligence to secure the information requested thereby, so state, and specify the  
28 portion of each interrogatory that cannot be responded to fully and completely. In the latter event,

1 state what efforts were made to obtain the requested information and the facts relied upon that  
 2 support the contention that the interrogatories cannot be answered fully and completely; and state  
 3 what knowledge, information or belief DEFENDANTS have concerning the unanswered portion  
 4 of any such interrogatory.

5       3. If DEFENDANTS' response to a particular Interrogatory is a statement that  
 6 DEFENDANTS lack the ability to comply with that Interrogatory, specify whether the inability to  
 7 comply is because the particular item or category of information never existed, has been  
 8 destroyed, has been lost, misplaced, or stolen, or has never been, or is no longer, in  
 9 DEFENDANTS' possession, custody, or control, in which case the name and address of any  
 10 person or entity known or believed by DEFENDANTS to have possession, custody, or control of  
 11 that information or category of information must be identified.

12       4. If any information requested is claimed to be privileged or otherwise immune from  
 13 discovery, provide all information falling within the scope of the interrogatory which is not  
 14 privileged, and for each item of information contained in a document to which a claim of privilege  
 15 is made, identify such document with sufficient particularity for purposes of a motion to compel,  
 16 such identification to include at least the following:

- 17           a. the basis on which the privilege is claimed;
- 18           b. the names and positions of the author of the document and all other persons  
                   participating in the preparation of the document;
- 19           c. the name and position of each individual or other person to whom the document, or  
                   a copy thereof, was sent or otherwise disclosed;
- 20           d. the date of the document;
- 21           e. a description of any accompanying material transmitted with or attached to such  
                   document;
- 22           f. the number of pages in such document;
- 23           g. the particular Interrogatory to which such document is responsive; and
- 24           h. whether any business or non-legal matter is contained or discussed in such  
                   document.

5. DEFENDANTS' obligation to respond to these interrogatories is continuing and its responses are to be supplemented to include subsequently acquired information in accordance with the requirements of Rule 26(e) of the Federal Rules of Civil Procedure.

## INTERROGATORIES

**INTERROGATORY NO. 1:**

For each UBER current or former employee that was aware of the JACOBS LETTER or the JACOBS EMAIL prior to November 22, 2017, identify the name of the current or former employee, whether that person is a current or former employee, and the date on which he or she became aware of the JACOBS LETTER or the JACOBS EMAIL.

DATED: December 8, 2017

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By: /s/ Charles K. Verhoeven

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Charles K. Verhoeven  
Attorneys for Plaintiff WAYMO LLC

**PROOF OF SERVICE**

I, Andrea Pallios Roberts, am employed in the County of San Mateo, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 555 Twin Dolphin Drive, 5<sup>th</sup> Floor, Redwood Shores, California 94065.

On December 8, 2017, I served true copies of the following document(s) described as "PLAINTIFF WAYMO LLC'S FIRST SET OF INTERROGATORIES TO DEFENDANTS RELATING TO ISSUES IN JACOBS LETTER"

on the interested parties in this action as follows:

<b>Recipient</b>	<b>Email Address:</b>
Arturo J. Gonzalez Daniel Pierre Muino Eric Akira Tate Esther Kim Chang Matthew Ian Kreeger Michael A. Jacobs MORRISON & FOERSTER LLP 425 Market Street San Francisco, CA 94105	UberWaymo@mofo.com
Michelle Ching Youn Yang MORRISON FOERSTER LLP 2000 Pennsylvania Avenue, NW Washington, DC 20006	
Rudolph Kim MORRISON & FOERSTER LLP 755 Page Mill Road Palo Alto, CA 94304	
Wendy Joy Ray MORRISON & FOERSTER LLP 707 Wilshire Boulevard Suite 6000 Los Angeles, CA 90017	
Michael Darron Jay BOIES SCHILLER & FLEXNER LLP 401 Wilshire Boulevard, Suite 850 Santa Monica, CA 90401	BSF_EXTERNAL_UberWaymoLit@bsflp.com
Meredith Richardson Dearborn BOIES SCHILLER FLEXNER LLP 435 Tasso Street	

Case No. 3:17-cv-00939-WHA

Suite 205  
Palo Alto, CA 94301

Hamish Hume  
Jessica E Phillips  
Karen Leah Dunn  
Kyle N. Smith  
Martha Lea Goodman  
BOIES SCHILLER FLEXNER  
LLP  
1401 New York Ave., NW  
Washington, DC 20005  
Bill Carmody  
Shawn Rabin  
Susman Godfrey LLP  
32nd Floor  
1301 Avenue of the Americas  
New York, NY 10019

Uber-sg@LISTS.SUSMANGODFREY.COM

**BY ELECTRONIC MAIL TRANSMISSION:** by electronic mail transmission from andreaproberts@quinnmanuel.com on December 8, 2017, by transmitting a PDF format copy of such document(s) to each such person at the e mail address listed above. The document(s) was/were transmitted by electronic transmission and such transmission was reported as complete and without error.

Executed on December 8, 2017, at Redwood Shores, California.

/s/ Andrea Pallios Roberts  
Andrea Pallios Roberts